COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: July 24, 2008

OFFICE CORRESPONDENCE FILE NO. FO2207690

FROM: ERIC B. SMITH, COMMANDER
LEADERSHIP AND TRAINING DIVISION

TO: KARYN MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE DISPOSITION:**
DEPUTY MATTHEW THOMPSON #[redacted]
DEPUTY [redacted]#[redacted]
DEPUTY [redacted]#[redacted]
MEN'S CENTRAL JAIL

On November 2, 2007 at approximately 1610 hours, Inmate Jimmy Rodriguez was instructed to leave the module laundry room to be escorted back to his cell. Inmate Rodriguez told Deputy Thompson he did not want to return to his cell and raised his fists in the air as if preparing to fight. Deputy Thompson deployed two bursts of Freeze +P OC spray in Suspect Rodriguez' face. Suspect Rodriguez then tried to punch Deputy Thompson, but missed. Deputies [redacted] and [redacted] witnessed the incident from approximately 40 feet away and ran to Deputy Thompson's aid.

Deputy [redacted] forced Inmate Rodriguez to the ground. The deputies ordered Inmate Rodriguez to place his hands behind his back, however, Inmate Rodriguez continued to fight. Deputies [redacted] and [redacted] punched and kneed Inmate Rodriguez numerous times in the face and body to defend themselves. Deputy Thompson struck the suspect two times with his flashlight on his left ankle.

Inmate Rodriguez stopped fighting after he was struck with the flashlight, and he placed his hands behind his back. He was treated at the MCJ clinic for a swollen left eye, a bruise on his lower lip, and redness to his face caused by the OC spray. Inmate Rodriguez was also treated for a slight abrasion to his left eye. Inmate Rodriguez complained of pain to his left ankle and was subsequently transferred to LCMC for x-rays. It was determined that Inmate Rodriguez sustained a fractured left ankle.

Deputy Thompson sustained a swollen right knee, Deputy [redacted] sustained a swollen left knee, and Deputy [redacted] sustained a swollen right wrist.

On July 24, 2008 the Executive Force Review Committee convened and conducted a review regarding the facts of this case. The applicable policies that were evaluated by the committee were: MMP §§ 3-01/025.00, Use of Force; 3-01/025.10,

Unreasonable Force; and 3-01/050.10, Performance to Standards.

Concerning:

MMP § 3-01/025.00, Use of Force, and MMP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy Matthew Thompson #518225 was reasonable and necessary and in compliance with Department policy.

MMP § 3-01/025.00, Use of Force, and MMP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy [redacted] #[redacted] was reasonable and necessary and in compliance with Department policy.

MMP § 3-01/025.00, Use of Force, and MMP § 3-01/025.10, Unreasonable Force, the Committee determined that the force used by Deputy [redacted] #[redacted] was reasonable and necessary and in compliance with Department policy.

MMP § 3-01/050.10, Performance to Standards, the Committee determined that the tactics employed by all personnel in this incident were within Department Policy.

Eric B. Smith

Eric B. Smith, Commander

EBS:MOT:mt

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FO2207690

Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN:	007-01407-5100-145	Date:	11/02/2007	Time:	1610 HOURS
Location:	441 BAUCHET STREET, LOS ANGELES, CA. 90012				
City or Station:	MEN'S CENTRAL JAIL				
Bureau/Station/Facility:	CUSTODY DIVISION		Admin. Investigation: YES ☐ NO ☒		

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
	NONE		

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]		

Street Address	City	Zip Code	Work Ph.	Home Ph.
MEN'S CENTRAL JAIL				

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]		

Street Address	City	Zip Code	Work Ph.	Home Ph.
MEN'S CENTRAL JAIL				

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]		

Street Address	City	Zip Code	Work Ph.	Home Ph.
MEN'S CENTRAL JAIL				

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	OCTAVE	CHARMICHAEL		SGT.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	VARGAS	ALEX	

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	HOLLOWELL	BENNY	

Watch Commander's Signature: TIM CARR Emp #: [redacted]

Copy Provided to Employee by: ____________ Emp #: ____________

Supervisor Completing Form: TIM CARR Emp #: [redacted]
(Print)

Unit Commanders Signature: ____________ Emp #: ____________ Date Signed: ____________

PSTD Use Only

FO# 2207690

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

SH-R-438 Rev. 10/98

See Reverse

Supervisor's Report on Use of Force

URN: 007-01407-5100-145

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S-1	E-1	RS	NN	
S-1	E-2	RS	NN	
S-1	E-3	RS	NN	
S-1	E-1	PH	NN	
S-1	E-2	PH	NN	
S-1	E-3	PH	NN	
E-1	S-1	CT	NN	
E-2	S-1	PH	AB	BK
E-3	S-1	PH	AB	BK
E-1	S-1	FL	FR	AK
E-1	S-1	OC	BU	FA
E-3	S-1	PK	BR	CH

See Front Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 007-01407-5100-145

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	THOMPSON	MATTHEW	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[X] Male [ ] Female	W	MEN'S CENTRAL JAIL	MODULE 3600

Shift		Age	Height	Weight
[ ] EM [ ] Day [X] PM	[X] Regular Shift [ ] OT Shift [ ] Off Duty	[redacted]	602	183

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case #	
[ ]			Directed Force [ ] Significant Force [X]

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[X] Male [ ] Female	W	MEN'S CENTRAL JAIL	MODULE 3600

Shift		Age	Height	Weight
[ ] EM [ ] Day [redacted] PM	[redacted] Regular Shift [ ] OT Shift [ ] Off Duty	[redacted]	510	195

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	
[ ]			Directed Force [ ] Significant Force [X]

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[X] Male [ ] Female	H	MEN'S CENTRAL JAIL	MODULE 3600

Shift		Age	Height	Weight
[ ] EM [ ] Day [redacted] PM	[redacted] Regular Shift [ ] OT Shift [ ] Off Duty	[redacted]	509	180

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	
[ ]			Directed Force [ ] Significant Force [X]

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[ ] Male [ ] Female			

Shift		Age	Height	Weight
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	
[ ]			Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[ ] Male [ ] Female			

Shift		Age	Height	Weight
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	
[ ]			Directed Force [ ] Significant Force [ ]

E_

Employee #	Last Name	First Name	Middle Name

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[ ] Male [ ] Female			

Shift		Age	Height	Weight
[ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty			

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	
[ ]			Directed Force [ ] Significant Force [ ]

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 007-01407-5100-145

Suspect Information

S1

Last Name: RODRIGUEZ		First Name: JIMMY		Middle Name:		
AKA Last Name:		First Name:		Middle Name:		
Sex: ☒ Male ☐ Female	Race: H	Street Address: [redacted]		City: [redacted]	State & Zip Code: [redacted]	
Work Phone: [redacted]	Home Phone: [redacted]	Age: 21	Height: 506	D.O.B. 07/01/1986	Weight: 140	Armed? ☐
Booking #: 100845	Primary Charge: 243 C 1 PC		Secondary Charge: 148 A 1 PC		Criminal History [redacted]	
Hospital Admission? ☒	Rec'd Treatment At: USC MEDICAL CENTER		Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☒ NO Substance:			Photos of Suspect's Injuries ☒ YES ☐ NO			

Suspect Interview

Date:	Time:		
11/02/2007	1700	Audiotape: ☐	Videotape: ☒

Suspect Information

S_

Last Name:		First Name:		Middle Name:		
AKA Last Name:		First Name:		Middle Name:		
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:		Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:			Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name:		First Name:		Middle Name:		
AKA Last Name:		First Name:		Middle Name:		
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:		Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:			Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:		
		Audiotape: ☐	Videotape: ☐

See Other Side

Supervisor's Report on Use of Force

URN: 007-01407-5100-145

Non-Employee Witnesses (Continuation)

Last Name: [redacted]		First Name: [redacted]		Middle Name
Street Address: MEN'S CENTRAL JAIL	City: BK. [redacted]	Zip Code	Work Ph.	Home Ph.
Last Name: [redacted]		First Name: [redacted]		Middle Name
Street Address: MEN'S CENTRAL JAIL	City: BK. [redacted]	Zip Code	Work Ph.	Home Ph.
Last Name: [redacted]		First Name: [redacted]		Middle Name
Street Address: MEN'S CENTRAL JAIL	City: BK. [redacted]	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.
Last Name		First Name		Middle Name
Street Address	City	Zip Code	Work Ph.	Home Ph.

INVESTIGATIVE SUMMARY
DEPUTY USE OF FORCE (FRACTURED ANKLE)
IAB FO 2207690
URN 007-01470-5100-145

On Saturday, November 3, 2007, I responded to Men's Central Jail regarding a use of force, fractured ankle, which occurred on Friday, November 2, 2007 at approximately 1610 hours. The Suspect's ankle was x-rayed on Saturday, November 3, 2007, and Internal Affairs Bureau was notified after the x-ray revealed the ankle had been fractured.

Suspect/Inmate Jimmy Rodriguez returned to his housing Module 3800 from the jail clinic and was standing inside the laundry room, waiting for the Deputies to return him to his cell. While working Module 3800, Deputy Thompson asked Suspect Rodriguez to come out of the laundry room in order to be escorted back to his cell. Suspect Rodriguez told Deputy Thompson he did not want to return to his cell.

Suspect Rodriguez said, "Fuck you, I ain't doing shit." Deputy Thompson ordered Suspect Rodriguez to turn around and face the wall. Suspect Rodriguez refused to comply and raised his fists in the air as if preparing to fight. Deputy Thompson believed Suspect Rodriguez was going to strike him and deployed two bursts of Freeze +P O.C. spray in Suspect Rodriguez' face. Suspect Rodriguez tried to punch Deputy Thompson but missed. Deputies [redacted] and [redacted] witnessed the incident from approximately 40 feet away, and ran to Deputy Thompson's aid.

Deputy [redacted] forced Suspect Rodriguez to the ground. The Deputies ordered Suspect Rodriguez several times to place his hands behind his back. However, Suspect Rodriguez continued to swing his arms and feet in an attempt to strike the Deputies. Deputy [redacted] punched Suspect Rodriguez between five to ten times in the face. Deputy [redacted] punched Suspect Rodriguez between five to ten times in the upper back area and kneed him between two to four times in his right rib area. Deputy Thompson struck the suspect two times with his flashlight on his left ankle.

Suspect Rodriguez stopped his assaultive behavior after he was struck with the flashlight and placed his hands behind his back. Suspect Rodriguez was handcuffed without further incident and escorted out of Module 3600-3800 and into the 3000 floor hallway. Deputies Thompson, [redacted] and [redacted] reported their use of force to Sergeant Mike Octave.

Suspect Rodriguez was treated at Men's Central Jail clinic for a swollen left eye, a bruise on his lower lip, and redness to his facial area caused by the O.C. spray. Suspect Rodriguez was also treated for a slight abrasion to his left eye.

Suspect Rodriguez complained of pain to his left ankle and was subsequently transferred to L.A. County University Southern California Medical Center Jail Ward via ambulance for x-rays on his ankle. Suspect Rodriguez sustained a fractured left ankle. Deputy Thompson sustained a swollen right knee; Deputy [redacted] sustained a swollen left knee, and; Deputy [redacted] sustained a swollen right wrist.

IAB Note: Refer to **Exhibit A** for Criminal and Supplemental reports.

INVOLVED PERSONNEL:

Deputy Matthew Thompson #[redacted]
Custody Division
Men's Central Jail

Employee Work History:

Date of Employment	06/06/2007
Date assigned to Custody	[redacted]
Completed Custody Training	
Prior Shooting Incident(s)	
Prior Force Incidents	



Deputy [redacted]
Custody Division
Men's Central Jail

Employee Work History:

Date of Employment	06/28/2006
Date assigned to Custody	[redacted]
Completed Custody Training	
Prior Shooting Incident(s)	
Prior Force Incidents	



Deputy [redacted]
Custody Division
Men's Central Jail

Employee Work History:

Date of Employment	11/06/2006
Date assigned to Custody	[redacted]
Completed Custody Training	
Prior Shooting Incident(s)	
Prior Force Incidents	

SUSPECT:

Jimmy Rodriguez MH/07/01/1986 Bk. # 1002845

Suspect Rodriguez' criminal back ground history: A check of the CCHRS (Consolidated Criminal History Reporting System) revealed that Suspect Rodriguez (CII# [redacted] Refer to the CCHRS and RAPS printouts included under **Exhibit A.**

WITNESSES:

Deputy Personnel:

None

Inmate Personnel:

[redacted]
Men's Central Jail

[redacted]
Men's Central Jail

[redacted]
Men's Central Jail

[redacted]
Men's Central Jail

[redacted]
Men's Central Jail

[redacted]
Men's Central Jail

INJURIES:

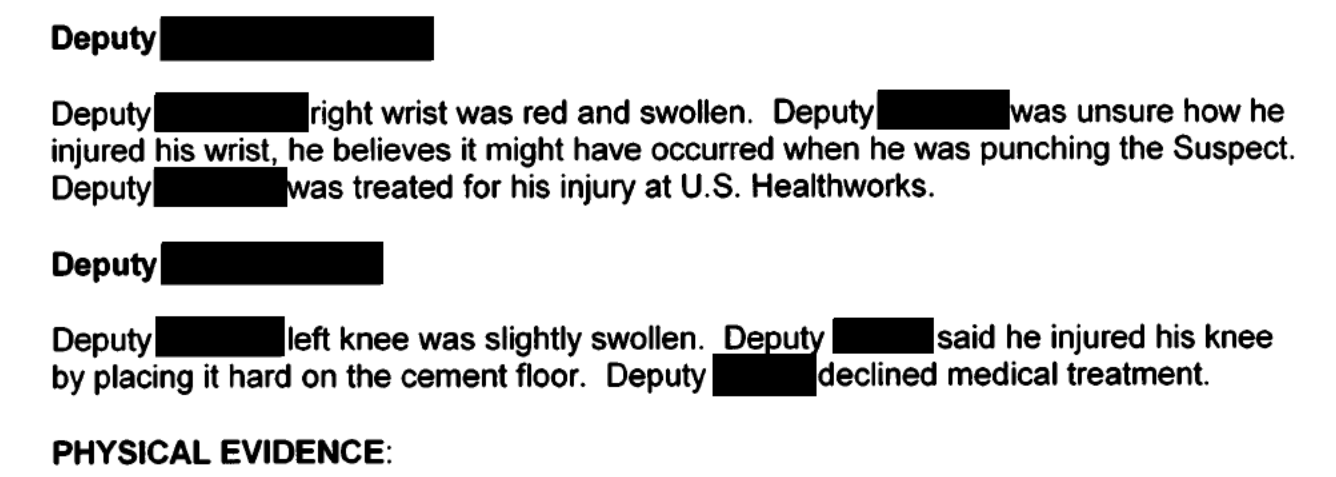
Jimmy Rodriguez

Suspect Rodriguez' left ankle was fractured, and his left eye was swollen and red. His lower lip was bruised and his upper back was red and swollen. I spoke to Doctor Fahed Bitar of L.A. County University Southern California Medical Center. He told me the fractured ankle was consistent with a blunt object striking Suspect Rodriguez's ankle. He also advised me that the swollen eye could have been caused by Suspect Rodriguez' face striking the concrete floor or by the Deputies punching his face. He further advised the bruises on Suspect Rodriguez' upper back are consistent with strikes from hands and/or knees. Refer to **Exhibit C** for Suspect Rodriguez' medical records.

Deputy Personnel:

Deputy Matthew Thompson

Deputy Thompson's right knee was red and swollen. Deputy Thompson injured his right knee during the altercation with Suspect Rodriguez. Deputy Thompson said that as he fell onto the cement floor, he landed on his right knee. Deputy Thompson was treated for his injury at U.S. Healthworks.



Deputy [redacted]

Deputy [redacted] right wrist was red and swollen. Deputy [redacted] was unsure how he injured his wrist, he believes it might have occurred when he was punching the Suspect. Deputy [redacted] was treated for his injury at U.S. Healthworks.

Deputy [redacted]

Deputy [redacted] left knee was slightly swollen. Deputy [redacted] said he injured his knee by placing it hard on the cement floor. Deputy [redacted] declined medical treatment.

PHYSICAL EVIDENCE:

There was no physical evidence at the scene.

INTERNAL AFFAIRS BUREAU INVESTIGATORS' OBSERVATIONS:

I arrived at the scene approximately twenty-four hours after the incident had occurred. I checked the hallway area of module 3600 and 3800, where the incident occurred. I also checked inside the laundry room area. There was no evidence at the scene.

Refer to **Exhibit B** for photographs of the area.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Thompson deployed his O.C. spray in Suspect Rodriguez' face and also struck him on his left ankle with his flashlight.

Deputy [redacted] struck Suspect Rodriguez five to ten times in the face with his fists.

Deputy [redacted] struck Suspect Rodriguez five to ten times in the upper back area with his fists and also kneed him two to four times in the right rib area.

WEAPONS USED BY SUSPECT:

Suspect Rodriguez kicked at the Deputies with both legs and also flailed his arms in a violent motion. Suspect Rodriguez attempted to punch Deputy Thompson, missing his face by several inches.

PROPERTY DAMAGE:

None

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator's Name:	**Detective Ramon Lascano**
Court:	**Criminal Courts Building**
Charges Filed:	**3 counts of 69 PC**
Court Date:	**Suspect was released, warrant issued**
Case Number:	**BA3334351**

LIGHTING OR WEATHER CONDITIONS:

The area was very well lighted.

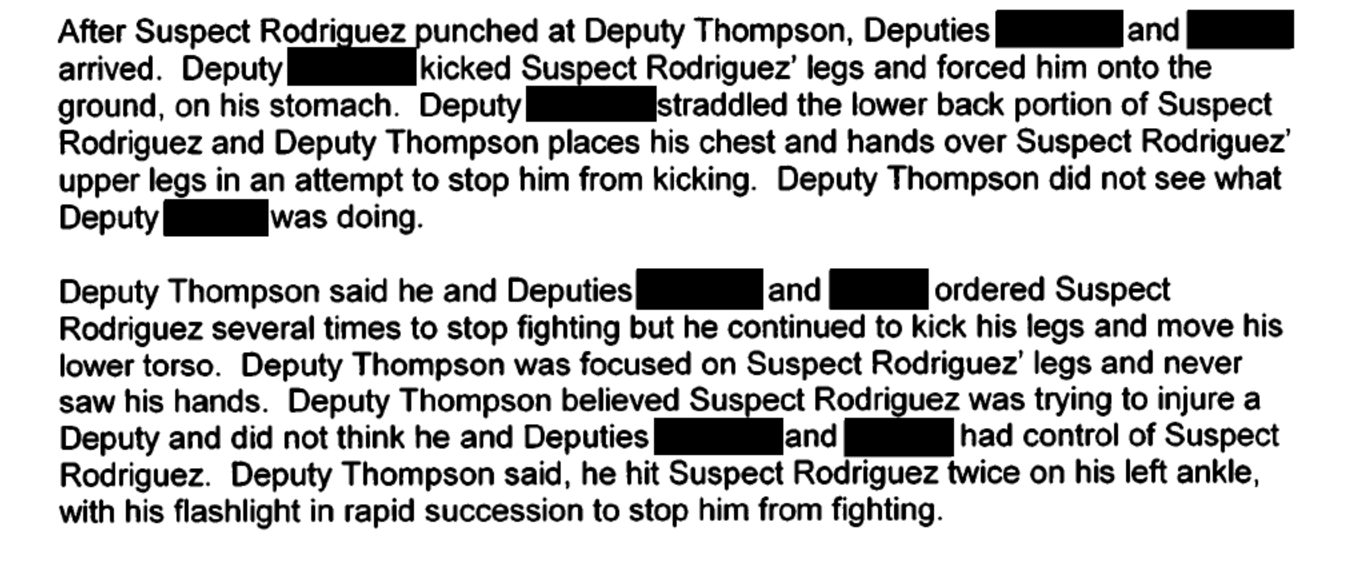
INVOLVED EMPLOYEES STATEMENTS:

Deputy Matthew Thompson

The following is a summary from an Internal Affairs Bureau interview conducted by Sergeants Tim Carr and Clay Anderson. Deputy Thompson was working Men's Central Jail in Module 3600, on Friday, November 2, 2007, PM shift. Deputy Thompson was beginning his first week of training.

Deputy Thompson walked by the laundry room, which is directly across from Module 3600 and saw Suspect Rodriguez sitting inside. Deputy Thompson said all inmates returning to the module are advised to wait in the laundry room before they are returned to their cell. Deputy Thompson told Suspect Rodriguez to exit the laundry room and return to his cell. Suspect Rodriguez exited the laundry room and stood outside the doorway and said, "Fuck that I ain't doing shit." Deputy Thompson ordered Suspect Rodriguez to turn away from him and face the wall which was adjacent to the laundry room door. Suspect Rodriguez didn't comply with Deputy Thompson's orders and again said, "Fuck that I ain't doing shit."

Suspect Rodriguez had his arms toward his side, with his hands clenched. Deputy Thompson believed Suspect Rodriguez was hostile and going to hit him, so he sprayed him once with a three second burst of O.C. spray in his face. Suspect Rodriguez placed his left hand near his eyes, as if to rub his eyes and then with his right hand punched at Deputy Thompson's face. Deputy Thompson said he stepped back to avoid the punch. Deputy Thompson said the punch came within three to five inches of his face.



After Suspect Rodriguez punched at Deputy Thompson, Deputies [redacted] and [redacted] arrived. Deputy [redacted] kicked Suspect Rodriguez' legs and forced him onto the ground, on his stomach. Deputy [redacted] straddled the lower back portion of Suspect Rodriguez and Deputy Thompson places his chest and hands over Suspect Rodriguez' upper legs in an attempt to stop him from kicking. Deputy Thompson did not see what Deputy [redacted] was doing.

Deputy Thompson said he and Deputies [redacted] and [redacted] ordered Suspect Rodriguez several times to stop fighting but he continued to kick his legs and move his lower torso. Deputy Thompson was focused on Suspect Rodriguez' legs and never saw his hands. Deputy Thompson believed Suspect Rodriguez was trying to injure a Deputy and did not think he and Deputies [redacted] and [redacted] had control of Suspect Rodriguez. Deputy Thompson said, he hit Suspect Rodriguez twice on his left ankle, with his flashlight in rapid succession to stop him from fighting.

Deputy Thompson said immediately after Suspect Rodriguez was hit with the flashlight, he stopped fighting and was handcuffed without further incident. Deputy Thompson estimated the fight lasted two and one half minutes. Deputies Thompson, [redacted] and [redacted] escorted Suspect Rodriguez into the 3000 floor hallway, where they advised Sergeant Octave of their use of force.

> **IAB Note:** Refer to **Exhibit A** for the Criminal and Supplemental reports of the incidents. Also refer to **Exhibit B** for photographs of the incident.

Deputy [redacted]

The following is a summary from an Internal Affairs Bureau interview conducted by Sergeants Tim Carr and Clay Anderson. Deputy [redacted] was working Men's Central Jail, Prowl Movement Deputy for Module 3600 and 3800, on Friday, November 2, 2007, PM shift. Deputy [redacted] was Deputy Thompson's training officer during this force incident.

Deputy [redacted] and Deputy [redacted] were talking with each other, standing in front of Module 3800 officer's sally port station. Deputy [redacted] was facing west toward module 3600 and Deputy [redacted] was facing east, looking at Deputy [redacted] Deputy [redacted] saw Deputy Thompson standing near the laundry room door and heard him speaking to Suspect Rodriguez. Deputy [redacted] estimated he was approximately fifteen feet away from Deputy Thompson.

As Deputy [redacted] was speaking with Deputy [redacted] he heard Suspect Rodriguez say, "Fuck that, I am not going anywhere." Deputy Thompson ordered Suspect Rodriguez to turn around and face the wall and place his hands behind his back. Deputy [redacted] then saw Suspect Rodriguez attempt to punch Deputy Thompson and also saw Deputy Thompson spray Suspect Rodriguez in the face with his O. C. Spray. Deputy [redacted] immediately ran to Deputy Thompson's location to assist him.

Deputy [redacted] kicked Suspect Rodriguez's legs with his right leg and grabbed onto his front shirt with his left hand and the back of his shirt with his right hand, forcing him to the ground. Suspect Rodriguez fell on his face and Deputy [redacted] was unsure if he used his hands to break the fall. Deputy [redacted] was unsure which portion of Suspect Rodriguez' body struck the ground first. Suspect Rodriguez was laying on his stomach with his arms and legs flaying.

Deputy [redacted] straddled Suspect Rodriguez' upper torso and ordered him to stop fighting. Suspect Rodriguez continued his assaultive behavior by kicking his legs and attempting to back hand Deputy [redacted] with the front portion of his hands. Deputy [redacted] said he was afraid that Suspect Rodriguez was going to hurt him or his partners, so he punched Suspect Rodriguez five to ten times in rapid succession on both sides of his face, in an effort to stop his assaultive behavior.

Deputy [redacted] ordered Suspect Rodriguez two to three times to stop fighting, but he continued to kick his legs and attempted to back hand Deputy [redacted] Deputy [redacted] estimated the fight lasted approximately five to ten seconds. After Deputy [redacted] punched Suspect Rodriguez, he stopped fighting and the Deputies were able to handcuff him without further incident.

As Deputy [redacted] was fighting with Suspect Rodriguez, he was focused on Suspect Rodriguez' upper torso and did not see Deputies Thompson and [redacted] strike Suspect Rodriguez or any other deputies strike him. Deputy [redacted] had no prior contact with Suspect Rodriguez before this incident.

> **IAB Note:** Refer to **Exhibit A** for the Criminal and Supplemental reports of the incidents. Also refer to **Exhibit B** for photographs of the incident.

Deputy [redacted]

The following is a summary from an Internal Affairs Bureau interview conducted by Sergeants Tim Carr and Clay Anderson. Deputy [redacted] was working Men's Central Jail, Recreation Relief Deputy for Module 3600 and 3800, on Friday, November 2, 2007, PM shift.

Deputy [redacted] and Deputy [redacted] were talking to each other, standing in front of Module 3800 officer's sally port station. Deputy [redacted] was facing west toward Module 3600 and Deputy [redacted] was facing east, looking at Deputy [redacted] Deputy [redacted] heard Deputy Thompson speaking to a Suspect, but did not recognize the voice. Deputy [redacted] estimated he was approximately fifteen feet away from Deputy Thompson who was standing near the entry way of the laundry room.

Deputy [redacted] heard Deputy Thompson ordered Suspect Rodriguez to step out of the laundry room area and turn around. Suspect Rodriguez replied, "Fuck that, I ain't doing shit." Deputy [redacted] was looking at Deputy [redacted] and saw him immediately turn around and run toward Deputy Thompson and Suspect Rodriguez. Upon seeing this, Deputy [redacted] also ran toward Deputy Thompson and Suspect Rodriguez.

Deputy [redacted] saw Deputy [redacted] grab onto the top portion of Suspect Rodriguez' shirt and then with his legs, he swept Suspect Rodriguez legs and forced him to the ground. Deputy [redacted] believed Suspect Rodriguez fell on his chest or face. Deputy [redacted] saw Deputy [redacted] on a portion of Suspect Rodriguez' mid-section, trying to gain control of his hands.

Suspect Rodriguez was swinging his arms and elbows in a violent manner. Suspect Rodriguez tried to elbow the Deputies with both arms. Deputy [redacted] positioned himself on the right side of Suspect Rodriguez' lower back. Deputy [redacted] ordered Suspect Rodriguez to stop fighting and to show his hands several times, but Suspect Rodriguez never complied.

In an effort to control Suspect Rodriguez, Deputy [redacted] punched him with his right fist five to ten times on the right side of his ribs. Deputy [redacted] was unsure if Suspect Rodriguez struck him with his arms or legs. Deputy [redacted] said, "He didn't strike me to point where I said, ouch, that really hurts."

During his violent behavior, Suspect Rodriguez was making a grunting noise, but never said anything that was audible. Suspect Rodriguez continued to swing his arms and legs at the Deputies, so Deputy [redacted] kneed him on the right side of his ribs, approximately two to four times.

After Deputy [redacted] kneed Suspect Rodriguez, he complied with the Deputies' orders and stopped fighting. Suspect Rodriguez was handcuffed without further incident. Deputy [redacted] said he was afraid of Suspect Rodriguez because he had never seen a Suspect that violent. During the use of force, Deputy [redacted] was focused on Suspect Rodriguez. He heard Deputy Thompson ordering Suspect Rodriguez to stop fighting, but did not see him striking Suspect Rodriguez. Deputy [redacted] also did not see Deputy [redacted] strike Suspect Rodriguez or any other deputies.

> **IAB Note:** Refer to **Exhibit A** for the Criminal and Supplemental reports of the incidents. Also refer to **Exhibit B** for photographs of the incident.

INMATE WITNESSES:

All seven Witnesses said they were not present during the use of force incident and did not see any Deputies using force on Suspect Rodriguez. Refer to **Exhibit D** for the videotape portion of the interview conducted by Sergeant Mike Octave.

SUSPECT STATEMENTS:

The following summary of Suspect Rodriguez's statements are from Sergeant Mike Octave's video tape interview. Refer to **Exhibit D** for the video portion of the interview.

Suspect Rodriguez said he was standing in the laundry room and told Deputy Thompson that he couldn't go home (return to his cell). Suspect Rodriguez said Deputy Thompson told him three times to return to his cell. Deputy Thompson told him "You can do this the easy way or the hard way." Suspect Rodriguez told Deputy Thompson, "Do what you need to do, just don't mess up my arm." Suspect Rodriguez saw Deputy Thompson preparing to spray him, so he raised his right hand in an attempt to block the spray.

Suspect Rodriguez said after he was sprayed, he was forced to the ground by the Deputies. Suspect Rodriguez said while he was on the ground, he tried to block the Deputies from hitting him and kicking him, with his hands. Suspect Rodriguez said he never hit or kicked at the Deputies. Suspect Rodriguez said the incident with the Deputies lasted approximately five minutes. Suspect Rodriguez said there were three Deputies involved in this incident. Suspect Rodriguez said there were no other witnesses around during this incident.

Suspect Rodriguez said after the incident was over, he was escorted out of the Module and into the 3000 floor hallway. Suspect Rodriguez said an unknown deputy struck him in the face while he was handcuffed. Suspect Rodriguez said he was hit and kicked during the fight with the Deputies.